

10/582323

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Docket No.: 1422-0720PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Takeo YOKAWA et al.

Application No.: NEW

Confirmation No.: N/A

Filed: June 9, 2006

Art Unit: N/A

For: ENTEROPATHY AMELIORATING  
COMPOSITION

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

US Publication No. 2003/166610; EP Patent No. 1175905 and EP Patent No. 1 305 036 corresponds to WO 02/07533. US Publication No. 2002/54923 corresponds to JP Patent No. 2002-154977. WO 98/39980 and US Patent No. 6,017,550 corresponds to JP Patent No. 2001-514523. US Publication No. 2003/072770 and EP Patent No. 1 172 041 corresponds to JP Patent No. 2002-511051. US Publication No. 2003/162300 and EP 1 303 632 corresponds to JP Patent No. 2003-516757. WO 00/57727 and US Patent No. 6,686,341 corresponds to JP Patent No. 2002-539809.

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has

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waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

Those documents which are marked with a double asterisk (\*\*) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number PCT/JP2004/012680, filed August 26, 2004.

A concise explanation of relevance of the items listed on form PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.


In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 9, 2006

Respectfully submitted,

By 

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PTO/58/08a/b (07-05)  
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Substitute for form 1449A/B/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			Application Number	NE 407582323	
			Filing Date	June 9, 2006	
			First Named Inventor	Takeo YOKAWA	
			Art Unit	N/A	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	1422-0720PUS1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/E.P./	AA*	US-20030166610-A1	09-04-2003	Rochat et al.	
/E.P./	AB*	US-20020054923-A1	01-31-2006	Suzuki et al.	
/E.P./	AC*	US-6,017,550-A	01-25-2000	Berk et al.	
/E.P./	AD*	US-20030072770-A1	04-17-2003	McAnalley et al.	
/E.P./	AE*	US-20030162300-A1	08-28-2003	Kunz et al.	
/E.P./	AF*	US-6,686,341	02-03-2004	Bijlsma et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
/E.P./	BA**	WO-02/07533-A2	01-31-2002			
/E.P./	BB**	JP-2003-289830-A	10-14-2003			
/E.P./	BC**	JP-2000-232855-A	08-29-2000			
/E.P./	BD**	JP-2002-154977-A	05-28-2002			
/E.P./	BE**	JP-2001-514523-A	09-11-2001			
/E.P./	BF	WO-98/39980-A1	09-17-1998			
/E.P./	BG**	JP-2002-511051-A	04-09-2002			
/E.P./	BH	EP-1 172 041-A2	01-16-2002			
/E.P./	BI**	JP-2003-516757-A	05-20-2003			✓
/E.P./	BJ	EP-1 303 632-B1	10-06-2004			✓
/E.P./	BK**	JP-2002-539809-A	11-26-2002			✓
/E.P./	BL	WO-00/57727-A1	10-05-2000			✓
/E.P./	BM**	JP-6-256196-A	09-13-1994			
/E.P./	BN**	JP-6-225734-A	08-16-1994			
/E.P./	BO	EP-1 186 297-A2	03-13-2002			
/E.P./	BP	EP-1 175 905-A1	01-30-2002			
/E.P./	BQ	EP-1 305 036-A2	05-02-2003			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.58(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the IPW. \*\* CITE NO.: Those document(s) which are marked with a double asterisk (\*\*) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. \* Applicant's unique citation designation number (optional). \* See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard ST-3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST-16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner Signature	/Elii Peselev/	Date Considered	08/11/2008
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